

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RICK SHAWN,

Petitioner,

v.

TERRY ROYAL, *et al.*,

Respondents.

Case No. 3:24-cv-00476-ART-CLB

ORDER

Pro se Petitioner Rick Shawn has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF No. 1-1 (“Petition”).) Shawn has not properly commenced this habeas action by either paying the standard \$5.00 filing fee or filing a complete application for leave to proceed *in forma pauperis* (“IFP”). Pursuant to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The Court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she submits an IFP application on the approved form and includes three specific documents: (a) the prisoner’s financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized prison official, and (c) a copy of the prisoner’s account statement for the 6-month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2. On October 28, 2024, Shawn filed a motion for submission of document, attaching a copy of his inmate account transaction request. (ECF Nos. 3, 3-1 at 2.) This Court has yet to receive Shawn’s filing fee from the NDOC, but, notably, the NDOC only sends payments to this Court once a month. As such, this Court gives Shawn until December 13, 2024, to have his filing fee paid.

It is therefore ordered that the motion for submission of document (ECF No. 3) is granted.

1 It is further ordered that on or before December 13, 2024, Shawn must pay
2 the \$5 filing fee. Alternatively, Shawn must file an IFP application on the approved
3 form with the three supporting documents listed above on or before December
4 13, 2024.

5 It is further ordered that Shawn's failure to timely comply with this Order
6 will result in the dismissal of the Petition without prejudice and without further
7 advance notice.

8 It is further ordered that the Clerk of Court send Shawn one blank copy of
9 the IFP application form for inmates along with instructions.

10 DATED THIS 4th day of November 2024.

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13 ANNE R. TRAUM
14 UNITED STATES DISTRICT JUDGE
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